

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

August 17, 2021

Nathan Ochsner, Clerk of Court

United States of America

v.

Roberta Angelica HERNANDEZ

Case No. **4:21-MJ-1766**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 16, 2021 in the county of Harris County in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 21 USC §841(a)(1) and
(b)(1)(A)(viii)

Offense Description

The defendant knowingly possessed with intent to distribute a controlled substance, to-wit: approximately 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine a schedule II controlled substance.

This criminal complaint is based on these facts:

See Attachment

☒ Continued on the attached sheet.

Complainant's signature

Joshua Hansen, DEA SA

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/17/2021City and state: Houston, Texas

Judge's signature

US Magistrate Peter Bray

Printed name and title

Print

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AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Joshua Hansen, being duly sworn telephonically, depose and state as follows:.

1. I am a Special Agent of the Drug Enforcement Administration (DEA), within the meaning of Title 18, United States Code § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code § 2516. I am responsible for conducting and assisting in investigations into violations of US narcotics laws. I have been a Special Agent since January 2013. I received eighteen weeks of training in drug investigations and related legal matters at the DEA Training Academy in Quantico, Virginia. Prior to being a Special Agent, I was a Sergeant with the Montgomery County Precinct Three Constable's office in Montgomery County, Texas for approximately nine (9) years. I have received courses of instruction from DEA relative to the investigative techniques and the conducting of drug and financial investigations. I have participated in and conducted investigations which have resulted in the arrests of individuals who have smuggled, received and distributed controlled substances, including marijuana, cocaine, methamphetamine, and heroin, as well as the seizure of illegal drugs and proceeds of the sale of those illegal drugs. In addition, I have conducted, in connection with these and other cases, follow up investigations concerning the concealment of drug produced assets, money, bank records, etc., and the identification of drug conspirators through the use of ledgers, telephone bills and records, photographs and bank checks, as related to drug trafficking. I have participated in investigations involving the interception of wire and electronic communications and am familiar with the ways in which drug traffickers

conduct their business, including, but not limited to, their methods of importing and distributing drugs, their use of cellular devices, and their use of numerical codes and code words to conduct their illegal transactions.

2. Based upon my training, experience, and participation in narcotics trafficking cases, which have resulted from violations of the Title 21, I prepared this Affidavit in support of a criminal complaint charging **Roberta Angelica HERNANDEZ**, hereinafter, **HERNANDEZ** with violating Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(ii)(II), Possess with Intent to Distribute a Controlled Substance; in this instance, approximately five kilograms or more of methamphetamine, a schedule II controlled substance.

PROBABLE CAUSE

3. Since June 2021, Houston DEA Agents and Task Force Officers have been investigating a drug trafficking organization (DTO) operating in Houston. During the course of the investigation, Houston DEA enforcement personnel have developed a Cooperating Source (hereafter CS.) The CS is able to communicate with an unidentified male, nicknamed PELON, a Mexico-based source of supply, in order to arrange the purchase of kilogram quantities of methamphetamine in the Houston, Texas area. According to the CS, PELON is a high-ranking member within the Sinaloa Cartel.
4. On June 30, 2021, the CS was directed by PELON to contact a female later identified as Roberta HERNANDEZ via phone number -----5977 to arrange the purchase of methamphetamine in Houston, Texas. The CS and HERNANDEZ agreed to meet at the Mambo's Seafood located at 6697 Hillcroft Street, Houston, Texas at

approximately 2:00 PM, to purchase one kilogram of methamphetamine for \$4,600 us currency.

5. On that same date, at approximately 2:00 PM, DEA agents and TFOs established surveillance in the area of 6697 Hillcroft Street, Houston, Texas. At approximately the same time, the UC and CS arrived at the Mambo's parking lot and waited for HERNANDEZ in their vehicle. Shortly after arriving at Mambo's, the CS and UC received a message from HERNANDEZ indicating that HERNANDEZ would be arriving in a blue Ford Escape. Shortly after the call, HERNANDEZ and a second female later arrived at the Mambo's parking lot driving a blue for Escape. The CS contacted HERNANDEZ, and requested that HERNANDEZ walk over to the vehicle, which the CS and UC were waiting in.
6. Once inside the UC's vehicle, HERNANDEZ exchanged a package containing approximately one kilogram of crystal methamphetamine for \$4,600 in US Currency, with the CS and UC. HERNANDEZ then departed with the US currency and returned to the blue Ford Escape.
7. Following the exchange, surveillance units followed HERNANDEZ and the second female as they drove to Pasadena, Texas. Later that same date, surveillance agents observed a traffic stop of the blue Ford Escape being driven by the second female with HERNANDEZ as the passenger. The two were identified by Texas driver's license and identification cards. The Pasadena Patrol Sergeant making the stop noted that the second female had approximately \$4,100 in cash in her possession.
8. On July 8, 2021, DEA TFO Don Doguim, acting in an undercover capacity, along with the CS made phone contact with HERNANDEZ, to coordinate the purchase of another

kilogram of methamphetamine. HERNANDEZ requested that the UC and CS meet HERNANDEZ at a Burger King restaurant located at 10205 East Freeway, Houston, Texas 77029.

9. On that same date at approximately 3:00 PM, the UC and CS met with HERNANDEZ at the Burger King and exchanged \$4,600 in US currency for a package containing approximately one kilogram of methamphetamine. Following the exchange, surveillance agents observed HERNANDEZ walk from the Burger King restaurant to a nearby motel at 10155 East Freeway, Houston, Texas 77029, where she entered a second story room. Hotel records later showed that HERNANDEZ rented room #257 from July 1 through July 10, 2021.
10. A DEA administrative subpoena served to SPRINT, on June 30, 2021, showed the phone number -----5977, which HERNANDEZ used to coordinate the two purchases was subscribed to Roberta HERNANDEZ at 12801 Champion Forest Drive, Apt 615, Houston, Texas 77066, and that the account was activated on April 20, 2021.
11. On August 5, 2021, U.S. Magistrate Sam S. Sheldon authorized the installation and monitoring of GPS location data for Sprint / T-Mobile cellphone -----5977 utilized and subscribed to Roberta HERNANDEZ. On August 6, 2021, Sprint / T-Mobile activated the GPS tracking of -----5977 and began supplying the data to the Drug Enforcement Administration.
12. On August 16, 2021 at approximately 11:30 AM, DEA agents and TFO's established surveillance relative to GPS pings for Roberta HERNANDEZ's phone at the Luxury Inn and Suites located at 10155 East Freeway, Houston, Texas 77029.

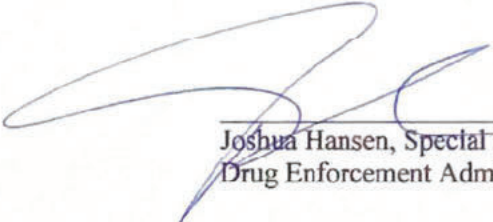
13. At approximately 1:30 PM, surveillance agents observed HERNANDEZ exit the hotel from around Room #169 and enter her rented gray Kia Sportage displaying Louisiana license plate ----518. HERNANDEZ was seen loading luggage into the small SUV and then driving out of the parking lot. Surveillance followed HERNANDEZ as she drove from the hotel to Baytown, Texas where she was stopped for a traffic violation by Harris County Sheriff's Deputies. During the stop, Harris County Deputies conducted a canine free air sniff of the vehicle and the canine gave a positive alert on the vehicle for narcotics. During a search of the vehicle subsequent to the canine alert, deputies located a Taurus LCP .380, semi-automatic pistol.
14. After the deputies had completed the search of the vehicle, DEA Special Agent Joshua Hansen approached HERNANDEZ, who was detained in a patrol vehicle. SA Hansen identified himself to HERNANDEZ and read HERNANDEZ her Miranda Warnings from a DEA-13A. SA Hansen advised HERNANDEZ that she had been under surveillance and that she was being investigated for selling kilogram quantities of methamphetamine. SA Hansen requested her consent and cooperation to search her hotel room at the Luxury Inn and Suites. HERNANDEZ advised SA Hansen that there was approximately four (4) kilograms of methamphetamine in a bag back at her hotel room and identified the room as #169. Surveillance units had maintained surveillance of the hotel room since she had departed and there had been no further activity at the room.
15. Harris County Deputies then transported HERNANDE#Z back to the Luxury Inn and Suites where HERNANDEZ gave SA Hansen written consent to search room #169. A card key was found on HERNANDEZ which gained access to the room. SA Hansen

also confirmed with hotel management that HERNANDEZ was the registered guest for room 169. Upon entry into the room, agents located a small black cloth bag on the luggage rack which contained approximately 5 kilograms of methamphetamine.

16. HERNANDEZ was placed in custody and transported to the Houston DEA Division office for processing.

CONCLUSION

17. Based upon the above, I submit there is probable cause to believe that **Roberta Hernandez** knowingly and intentionally violated Title 21, United States Code, Section 841(a)(1) and (b)(1)(A)(viii), in this instance, 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a schedule II controlled substance.



Joshua Hansen, Special Agent
Drug Enforcement Administration

Sworn and subscribed to by telephone on this 17 day of August 2021, and I find probable cause.



Peter Bray
United States Magistrate Judge